



ORDER ON ORAL MOTION

July 9, 2010

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JUL 13 2010

The Honorable Claire C. Cecchi, U.S.M.J.
United States Court
for the District of New Jersey
Martin Luther King, Jr. Federal Building and U.S. Courthouse
50 Walnut Street, Room 2064
Newark, New Jersey 07102

HON. CLAIRE C. CECCHI

**RE: *Ironbound Community Corporation, et al. v. Covanta Essex Company, et al.*,
Docket No. 2:09-cv-00770 (JLL)(CCC)**

Dear Judge Cecchi:

We are counsel for plaintiffs Ironbound Community Corporation and GreenFaith in the above captioned matter. I refer to the Court's Order dated May 10, 2010 directing the parties to advise Your Honor in writing by July 9, 2010 as to whether the matter has settled.

We are pleased to inform you that plaintiffs and defendants have reached an agreement as to plaintiffs' claim for attorneys' fees, which was the last remaining issue regarding the settlement of this case. Accordingly, today I am sending a copy of our proposed Consent Judgment to the Attorney General of the United States and to the Administrator of the Environmental Protection Agency for their review pursuant to 42 U.S.C. § 7604(c)(3). That provision states that no Consent Judgment may be entered in an action brought under § 7604 prior to 45 days following the receipt of a copy of the proposed Consent Judgment by the Attorney General and the Administrator of the EPA. The parties have agreed that once the 45-day review period under § 7604(c)(3) comes to a close they will cooperate to have the Court enter the proposed Consent Judgment and an order of dismissal.

By August 23, 2010, the parties shall advise the undersigned in writing as to whether this matter is fully resolved.

Respectfully Submitted,

William J. Schulte, Esq.

Cc: Kathy Balderston, Esq. (via facsimile)

SO ORDERED

s/Claire C. Cecchi
Claire C. Cecchi, U.S.M.J.

Date: July 23, 2010

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